

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DIVISION

IN RE APPLICATION OF
TATIANA AKHMEDOVA

No. SA:20-MC-1099-JKP-RBF

ORDER

On this day, the Court considered the United States Magistrate Judge's Report and Recommendation filed on October 30, 2020. ECF No. 4. The Magistrate Judge recommends the Application be granted in part and denied in part.

Ms. Akhmedova did not file any objection to the Magistrate Judge's Report and Recommendation, and the time for doing so expired. Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file all written objections within fourteen days after being served with a copy. 28 U.S.C. § 636(b)(1). If no party objects to a Magistrate Judge's Report and Recommendation, the Court need only review the Magistrate Judge's report to determine whether the findings and recommendations are clearly erroneous or contrary to law. *Johnson v. Sw. Research Inst.*, 210 F. Supp. 3d 863, 864 (W.D. Tex. 2016) (citing *U.S. v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989)).

This Court reviewed the Report and Recommendation and concludes it is neither clearly erroneous nor contrary to law. Accordingly, the Court ACCEPTS the Magistrate Judge's recommendation, ADOPTS the Magistrate Judge's report and memorandum as its own, and ORDERS that Tatiana Akhmedova's Application is GRANTED IN PART and DENIED IN PART.

The Court further ORDERS:

1. Tatiana Akhmedova is authorized to issue and serve a subpoena on Rackspace US, Inc. d/b/a Rackspace Technology for the production of the following documents:

- a. All documents in the possession and control of Rackspace concerning cloud services and/or archiving of information provided with respect to email accounts maintained by the vessel M/Y Luna, including but not limited to the following email accounts: captain@my-luna.com; chiefofficer@my-luna.com; chiefengineer@my-luna.com; or any other email address containing “@my-luna.com”; and
- b. All documents in the possession or control of Rackspace concerning cloud services and/or archiving of information provided in connection with Great Circle Systems or Triton Technical with respect to the vessel M/Y Luna.

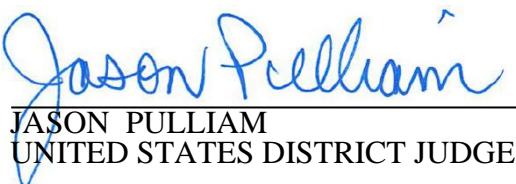
2. Ms. Akhmedova is directed to meaningfully confer with Rackspace after serving the subpoena to determine whether and to what extent she should cover the cost of Rackspace's compliance.

3. Rackspace must respond to the subpoena within 14 days after service, unless Rackspace makes a sufficient showing that based on the nature of the request or its current operations, the subpoena fails to provide it with a reasonable time to comply or Rackspace otherwise provides the Court with a basis to quash or modify the subpoena. *See* Fed. R. Civ. P. 45(d)(3).

4. All other requests raised by the Application are DENIED.

It is so ORDERED.

SIGNED this 29th day of November 2020.



JASON PULLIAM
UNITED STATES DISTRICT JUDGE